

EXHIBIT A

FILED
CLERK U.S. DISTRICT COURT
DISTRICT OF DELAWARE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

20 PH 3:35

NOVARTIS PHARMACEUTICALS :
CORPORATION :
Plaintiff, :
v. :
ABBOTT LABORATORIES, : Civil Action No. 00-784-JJJF
Defendant. :
:

O R D E R

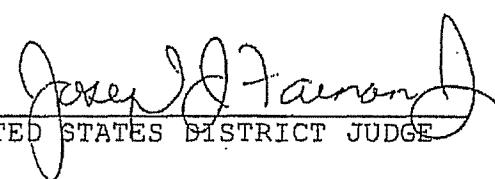
WHEREAS presently pending before the Court is a Motion To Strike Novartis' Responsive Claim Construction Brief, Or In The Alternative, Motion For Leave To File A Surreply Claim Construction Brief (D.I. 138) filed by Defendant Abbott Laboratories (hereinafter "Abbott") and a Motion For Leave To File A Reply Brief In Response To Defendant Abbott's Responsive And Surreply Claim Construction Briefs (D.I. 143) filed by Plaintiff Novartis Pharmaceuticals Corporation's (hereinafter "Novartis");

WHEREAS, the Court concludes that additional disputed terms are now in dispute;

WHEREAS, the parties have filed their proposed "Surreply" and "Reply" briefs as exhibits to their respective Motions (D.I. 138, Ex. A; D.I. 144, Ex. A) in violation of Local Rule 7.1.2 (c);

NOW THEREFORE, IT IS HEREBY ORDERED this 20 day of February, 2002 that:

- 1) Abbott's Motion To Strike Novartis' Responsive Claim Construction Brief (D.I. 138-1) is DENIED;
- 2) Abbott's Motion For Leave To File A Surreply Claim Construction Brief (D.I. 138-2) is GRANTED;
- 3) Novartis' Motion For Leave To File A Reply Brief In Response To Defendant Abbott's Responsive And Surreply Claim Construction Briefs (D.I. 143) is GRANTED;
- 4) Abbott and Novartis shall formally file their respective "Surreply" and "Reply" briefs with the Court within ten (10) days of the date of this Order;
- 5) No further claim construction briefing will be permitted.



UNITED STATES DISTRICT JUDGE